

**FILED**  
**CHARLOTTE, NC**

APR 19 2012

US DISTRICT COURT  
WESTERN DISTRICT OF NC

Defendant.

5. following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. § 922(g), 18 U.S.C. § 982, 21 U.S.C. § 841, 21 U.S.C. § 853, and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so. As to any firearms listed above and/or in the charging instrument, defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion, deem to be legally sufficient, and waives any and all right to further notice of such process or such destruction.

~~EDWARD R. RYAN~~ ANNE M. TOMPKINS  
ACTING UNITED STATES ATTORNEY

*SRK*

Steven R. Kaufman, Esq.  
Assistant United States Attorney

*CLD*  
Christopher L. Davis  
Defendant

*Jim Weidner*  
Jim Weidner, Esq.  
Attorney for Defendant

Signed this the 19<sup>th</sup> day of April, 2010

*David S. Cayer*  
~~DAVID S. CAYER~~ ~~UNAVAILABLE~~ ~~MAX O. COBBURN, JR.~~  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT